

substantially flat ring body with an adhesive surface facing inward toward the ring body.--

R E M A R K S

Claims 1-3 have been rejected by the Examiner under 35 U.S.C. § 112, first paragraph, as based upon a disclosure which is not enabling. This rejection is respectfully traversed.

In rejecting the claims, the Examiner argues that page 11 of the Applicants previous Response appears to indicate the presence of several additional elements which is critical or essential to the practice of the invention. The Examiner argues that these elements are not included in the claims and not enabled by the disclosure. More particularly, the Examiner argues that the presence of such limitations as that of claim 2, together with the fact that the "substantially flat ring is flexible and easily deformed and hence a finger can be inserted easily inside of this substantially flat ring by deforming the substantially flat ring" appears to define additional critical claim limitations and as such should be incorporated into the independent claim. In referring to page 11 of the Applicants previous response, the Applicant states that the ring-like body of the wound adhesive tape in accordance with the present invention is made of sheet-like material using at

least one of a paper sheet, a plastic film, or a metal foil, having a thickness of 0.01 mm to 0.1 mm. In this connection, it should be noted that claim 1 presently recites that the substantially flat ring body is made of a sheet material having a thickness of 10 μ m to 100 μ m. Thus, the recitation of the thickness of the substantially flat ring body inherently defines the flexibility of the ring body and thus it is not deemed necessary to further state in claim 1 that the ring body is made of a material which is flexible and readily deformable. Thus, as stated in lines 1-12 on page 4 of the present application, if the thickness of the sheet-like material is smaller than 10 μ m, the mechanical strength of the sheet-like material is not sufficient and if the thickness of the sheet-like material is larger than 100 μ m, the stiffness of the sheet-like material becomes high, which makes it difficult to wound the sheet-like material around the ring-like core 3. As pointed out throughout the prosecution of the present application, the rewinding of the adhesive tape 4 is an important feature of the present invention, and this rewinding can only be effectively achieved by winding the adhesive tape around a substantially flat ring body, which is made of a sheet material having a thickness of 10 μ m to 100 μ m, which, by definition, means that the sheet material upon which the adhesive is wound is flexible and readily

deformable. Since the flat ring body is flexible and readily deformable, a finger can be readily inserted inside the substantially flat ring by deforming the flat ring to effectively facilitate the winding of the adhesive tape thereon.

Claims 1-3 have been rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over JP 51-148383 (patent abstract). This rejection is respectfully traversed.

no evidence for this
First of all, it should be noted that the ring-like core of the Japanese publication is made of a plastic plate, a laminated paper or a cardboard paper having a thickness which is more than 1 mm. This thickness falls outside of the thickness range of the ring body of the present invention and as such, is not sufficiently flexible and readily deformable, so that the fingers of the hand can be readily inserted inside the ring-like core to facilitate the rewinding of the adhesive tape thereon. Because of the overall stiffness of the ring-like core of the Japanese publication, it is readily apparent why the Japanese publication does not contemplate the rewinding feature of the present invention.

As noted in the Japanese publication, the core, which is made of a plastic material, is formed in a flat shape by heating and pressing a plastic pipe that was formed in a cylindrical shape. The core made of paper is formed in a flat shape by winding sheet-like

paper around the outer peripheral surface of the core material and the wound adhesive tape is formed into a flat shape by pressing the entire composite after the adhesive tape is wound around the outer peripheral surface of the cylindrical rig-like core. Adhesive tape wound in such a manner frequently forms a crease in the center of the flat-shape wound adhesive tape, which creates a undesirable adherence of the wound adhesive tape. It is readily apparent that the Japanese publication certainly does not contemplate the present invention.

The Examiner relies upon JP U62-129043 to show the use of printing on ring bodies. In this connection, it should be noted that the Japanese publication relates to a wound adhesive tape which is wound around a cylindrical formed core which contains printed matter disposed on the circumferential face of the cylindrical core. However, the present invention is concerned with the use of printed matter on a substantially flat ring body which is flexible and readily deformable. Normally, such printed matter could not be provided on such a substantially flat ring body, because it would not be possible to see the printed matter unless the flat ring body is sufficiently flexible and deformable so that it could be sufficiently deformed to read the printed material. Thus, to apply the teachings of JP U62-129043 to the teachings of

JP U51-148383, could not arrive at the present invention since JP U51-148383 could not be sufficiently deformed so as to read any printable material provided thereon, and thus one skilled in the art would not be lead to apply the printing concept of the '043 reference to that of the '383 reference. The conclusions reached by the Examiner can only be made in view of the Applicants own disclosure.

Original claims 1-3 have been further rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over JP 4-123233 (patent abstract). This rejection is respectfully traversed.

Here again, the Japanese reference cannot possibly contemplate the present invention since the ring-like core which is formed in a nearly flat shape has a thickness of more than 1 mm which falls outside of the thickness of the substantially flat ring body of the present invention, that is, a thickness of 10 μ m to 100 μ m, which renders the ring body flexible and readily deformable. As noted in the specification of the present application, the core which is utilized in the prior art for winding adhesive tape thereon, was required to have some degree of strength because the adhesive tape is wound around the outer peripheral surface, usually in a length of 5mm or more. Accordingly, the core is required to be manufactured into a strong ring-like body having a thickness of 1

mm or more, which results in an increase in manufacturing costs. Also, such an adhesive tape presents a problem in usability, in that it is difficult to rewind the adhesive tape because the core, which is formed in a nearly flat shape and is stiff, prevents the user to insert a finger into the space inside the core which, in accordance with the present invention, facilitates the rewinding of the adhesive tape on the core.

In a further advantage of the present invention, the scrap material that remains after the wound adhesive tape is utilized is only the core material having a minimal thickness. Thus the load on the environment is reduced because the quantity of scrap material is insignificant.

Since none of the references relied upon by the Examiner, either alone or in combination, recognize the desirability of providing a wound adhesive tape utilizing a substantially flat ring body which is flexible and readily deformable, it is believed that none of the references relied upon by the Examiner even remotely suggest the present invention.

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the claims of the present application are respectfully requested.

CONCLUSION

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mr. Joseph A. Kolasch (Reg. No. 22,463) at (703) 205-8000 to conduct an interview in an effort to expedite prosecution in connection with the present application.


Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicant respectfully petitions for a two (2) month extension of time for filing a response in connection with the present application and the required fee of \$200.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of

time fees.

Respectfully submitted,

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Attachment: Version Showing Marked-Up Changes to Claims

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VERSION SHOWING MARKED-UP CHANGES TO CLAIMS

IN THE CLAIMS

CLAIM 4 HAS BEEN ADDED.